

REMARKS

The Official Action dated September 21, 2005, has been carefully reviewed and the foregoing amendment has been made in response thereto. Prior to entry of the foregoing amendment claims 1, 3-9, 11-17 and 19-27 were active in the present application. Claims 1, 3, 6, 8, 9, 11, 14-17, 19 and 22-27 were rejected as conflicting with claims of Application No. 09/739,991. Claims 1, 3, 4, 7, 9, 11, 12, 15, 17, 19, 20 and 23-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,581,058 (Fayyad), in view of U.S. Patent No. 6,058,373 (Blinn), and further in view of U.S. Patent Application Publication No. 2001/0032162 (Alsberg et al.). Claims 6, 8, 14, 16, 22 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Fayyad, in view of Blinn, and further in view of Alsberg et al., and further in view of U.S. Patent No. 6,430,539 (Lazarus).

The foregoing amendment cancels claim 4, 5, 12, 13, 20 and 21. Independent claim 1 has been amended to include the limitations of canceled claim 5. Independent claim 9 has been amended to include the limitations of canceled claim 13. Independent claim 17 has been amended to include the limitations of canceled claim 21. Claims 1, 9 and 17 have also been amended to clarify that the basket, item and department tables are database tables.

Double Patenting

Claims 1, 3, 6, 8, 9, 11, 14-17, 19 and 22-27 have been rejected as conflicting with claims of co-pending Application No. 09/739,991, also assigned to NCR Corporation. It is believed that this double patenting rejection is overcome by the amendments to claim 1, 9 and 17.

Rejection of claims under 35 U.S.C. §103(a)

The rejections of claims 1, 3-9, 11-17 and 19-24 under 35 U.S.C. §103(a) as being unpatentable over Fayyad, in view of Blinn, and further in view of Alsberg et al. and Lazarus are respectfully traversed.

Blinn was cited as teaching a basket table that contains summary information about the retail transactional data (Blinn, Figures 5 and 6), an item table that contains information about individual items referenced in the retail transactional data (Blinn, Figures 8A and 8B), and a department table that contains aggregate information about the retail transactional data (Blinn, Figure 10). However, Figures 5 and 6 and the corresponding text of Blinn show and describe a shopping cart HTML page 400, not a basket database table that contains summary information about the retail transactional data. Although Blinn discloses several tables, it is not seen that any of the tables described in Blinn are equivalent to Applicant's basket database table that contains summary information about the retail transactional data. Similarly, Figure 10 and the corresponding text of Blinn show and describe a convention order form 1000, not a department database table that contains aggregate information about the retail transactional data. It is not seen that these three database tables, as specifically described in the specification of the present application and recited in each one of independent claims 1, 9 and 17, are taught or suggested by Fayyad, Blinn, Alsberg or Lazarus, taken singularly or in combination.

Independent claim 1 includes the limitation "the data model is mapped to aggregate the transactional data for cluster analysis of shopping behavior," independent claim 9 includes the step of "mapping the data model to aggregate the transactional data for cluster analysis of shopping behavior," and independent claim 17 includes the element "means for mapping the data model to aggregate the transactional data for cluster analysis of shopping behavior." It is not seen that

these limitations are taught or suggested by the cited references, taken singularly or in combination.

Paragraph 0091 of Alsberg was cited as disclosing "the data model is mapped to aggregate the transactional data for cluster analysis of shopping behavior." Paragraph 0091 of Alsberg is presented below.

[0091] FIG. 1 is a block diagram illustrating a market-clearing system consistent with the present invention. A set of buyers 110 submits buy offers 150 and buy straddles 160 to the market-clearing engine 185. A set of sellers 120 submits sell offers 155 and sell straddles 165 to the market-clearing engine. Market-clearing engine 185 assigns each offer or straddle to a pool, like the pool described below in connection with FIG. 9, that has a close time consistent with a pool close event. During the period of bidding for each pool, market-clearing engine 185 produces market data 174 that are routed to the market information database 140. This market data may include any information about terms and timing of offers presented to the market-clearing engine, including offeror behavior and timing for an offer or across multiple offers, quantities, product specifications, straddles, and transaction information. At the close of a pool, market-clearing engine 185 produces transaction directives 176 that are routed to the transaction information database 181.

The above excerpt from Alsberg describes the operation of a market-clearing engine 185. It is not seen that the operation of Alsberg's market-clearing engine is equivalent to "mapping the data model to aggregate the transactional data for cluster analysis of shopping behavior," as described in the specification and claimed in each claim of the present application. As this limitation is also not taught or suggested in Fayyad, Blinn, or Lazarus, it is believed that each claim remaining in the present application recites an invention which is patentable over the cited references.

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In view of the foregoing amendments and remarks, it is believed that the application is in condition for allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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